



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

May 29, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

61 May 29, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD
LOS ANGELES RIVER TRASH TOTAL MAXIMUM DAILY LOAD
FULL COMPLIANCE CATCH BASIN RETROFIT, PHASE 6, ET AL.
IN VARIOUS UNINCORPORATED COMMUNITIES THROUGHOUT
THE LOS ANGELES RIVER AND MACHADO LAKE WATERSHEDS
(SUPERVISORIAL DISTRICTS 1, 2, 3, AND 5)
(3 VOTES)**

SUBJECT

This action is to approve the project to install trash excluders into catch basins in various unincorporated communities throughout the Los Angeles River and Machado Lake Watersheds; find the project categorically exempt from the provisions of the California Environmental Quality Act; adopt the specifications; call for bids; and authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the specifications that are on file in the Construction Division of the Department of Public Works for Los Angeles River Trash Total Maximum Daily Load Full Compliance Catch Basin Retrofit, Phase 6, et al., installation of catch basins trash excluders in various unincorporated communities throughout the Los Angeles River and Machado Lake Watersheds, at an estimated cost between \$500,000 and \$675,000.

3. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on June 19, 2012, in accordance with the Instruction Sheet for Publishing Legal Advertisement.

4. Authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

5. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code, Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from your Board; adopt the specifications; advertise for bids; and authorize the Director of Public Works (Director) or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid for the installation of catch basin trash excluders and the performance of other appurtenant work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by preventing trash from entering downstream receiving waters via the storm drain system.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$500,000 to \$675,000. The total project cost is estimated to be \$902,000. In addition to the construction contract cost, the total project cost includes the preparation of specifications, consultant services, survey, environmental permit compliance, right-of-way and utility clearance, materials testing, inspection, contract administration, change order contingency, and other County services.

Funding for this project is included in the Department of Public Works' (Public Works) Fiscal Year 2011-12 General Fund Budget. Funding for oversight and inspection of this project is included in Public Works' Fiscal Year 2011-12 General Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for the installation of catch basin trash excluders, is part of the County of Los

Angeles' (County) ongoing program to comply with the requirements of the Los Angeles River Trash Total Maximum Daily Loads (TMDL), which is included in the County's National Pollutant Discharge Elimination System (NPDES) Permit. Under the NPDES Permit, the County is required to comply with Los Angeles River Trash TMDL by September 2015. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 70 working days. It is estimated the work will start in August 2012 and be completed in December 2012.

Delegating to the Director or her designee the authority to award, execute, and implement this construction contract allows an expedited contracting process to obtain a contractor for the installation of catch basin trash excluders.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Sections 15301(b) and (f) of the California Environmental Quality Act Guidelines and Class 1, Subsections (e) and (i) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for the maintenance of existing flood control facilities and the addition of health protection devices in conjunction with existing structures.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. The award by the Director or her designee will be made after review of the bids meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by preventing trash from entering the downstream receiving waters via the storm drain system.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:ma

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)